

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
2002 MAY -9 HOUSTON DIVISION

United States Courts  
Southern District of Texas  
FILED

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Michael N. Milby, Clerk

IN RE ENRON CORPORATION )  
SECURITIES LITIGATION )  
SOUTHERN DISTRICT OF TEXAS )

No. H-01-3624

Hon. Melinda Harmon

**DEFENDANTS PHILIP RANDALL'S AND ROMAN McALINDON'S  
MOTION TO DISMISS THE CONSOLIDATED COMPLAINT**

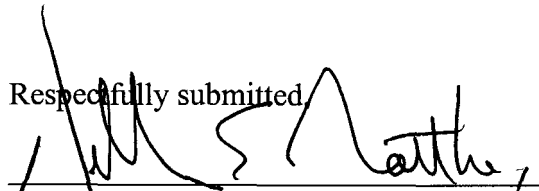
Defendants Philip Randall and Roman McAlindon, by their attorneys, respectfully move this Court for an order dismissing the Consolidated Complaint. In support thereof, Mr. Randall and Mr. McAlindon state the following grounds:

1. Plaintiffs have failed to serve Mr. Randall and Mr. McAlindon properly. See Fed. R. Civ. P. 12(b)(5).
2. This Court lacks personal jurisdiction over Mr. Randall and Mr. McAlindon because they have not had the "minimum contacts" with the United States or Texas to provide such jurisdiction and because finding jurisdiction over them would offend "traditional notions of fair play and substantial justice." See Fed. R. Civ. P. 12(b)(2).
3. Mr. Randall and Mr. McAlindon hereby expressly incorporate the memorandum in support of this motion, which they are filing contemporaneously.

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WHEREFORE, Defendants Philip Randall and Roman McAlindon respectfully request this Court to enter an order dismissing the Consolidated Complaint against them with prejudice.

Respectfully submitted,

  
One of the Attorneys for Defendants  
Philip Randall and Roman McAlindon


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Counsel for Defendant Andersen Worldwide  
Societe Cooperative

Dated: May 8, 2002

#### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document has been forwarded to all interested parties on this 8<sup>th</sup> day of May, 2002.

  
William E. Matthews